IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER

TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.16152 of 2004

Between:

Kandula Sudhakar Reddy

S/o. Papi Reddy

Aged: 30 years, Occ: Business and Catholic,
R/o. H.No.7-1-374/3,

Padmakshi Colony,

Warangal District.

..... PETITIONER

AND

1 The District Collector, Warangal.
2 The Commissioner, Municipal Corporation, Warangal.
3 The Special Officer and Competent Authority,

Urban Land Ceiling Warangal District.
4 Diocesan Society

rep. by Bishop Thumma Bala

S/o. Jogireddy,
R/o. Fathimanagar, Kazipet,

Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents 1 to 3 in not taking any steps against misuse of the land in Sy.Nos.352 and 348 to an extent of Ac 5.10 gts situated at Kazipet Jagir of the Diocesan Society, Fathimanagar, Kazipet, Warangal by the fourth respondent is highly arbitrary, bad and illegal.

Counsel for the Petitioner :Mr. S.BHOOMA GOUD

Counsel for the Respondents: Govt. Pleader for Revenue for R-1

Mr. K.VENUGOPAL REDDY for R-2

(S.C. for Warangal Municipal Corporation)

The Court made the following :

ORDER: (Per Hon'ble the Chief Justice)

Petitioner is a member of Catholic and Diocesan Society, Fathimanagar, Kazipet, Warangal, and has filed this petition purporting to be in public interest on behalf of members of Diocesan Society, Warangal, raising objections against the action of fourth respondent in parting with the property for which exemption was granted under the Urban Land (Ceiling and Regulation) Act, 1976. It is stated that the purpose for which the land was purchased in the name of Society was not being served by the fourth respondent and the fourth respondent is acting against the interests of members of the Society and further, the Society has got abundant funds and there is no need to sell its land.

From the record we find that earlier similar writ petition in W.P.No.20759 of 2002 was filed, which was got dismissed as withdrawn. Such like petitions cannot be entertained as public interest litigation, it is rather private interest litigation and the members of the Society in case of any grievance against Society or its management, can seek redressal in appropriate court of law.

The writ petition is accordingly dismissed.

_____

DEVINDER GUPTA, C.J.

_____

C.V.RAMULU, J

15-09-2004

bsc

To

1 The District Collector, Warangal.
2 The Commissioner, Municipal Corporation, Warangal.
3 The Special Officer and Competent Authority,

Urban Land Ceiling Warangal District.
4. 2 CCs to Govt. Pleader for Revenue, High Court buildings,

Hyderabad (OUT)

5. 2CD copies